Effective: January 3, 2019

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Permanent Rule Change

Rule Project No. 2013-057-291-OW
HB 1600 and SB 567: PUC Transfer (83rd Leg.); HB 294 and
SB 1842 (85th Leg.); and Staff Initiated Regulatory Assessment Fee Revisions

Chapter 35
Emergency and Temporary Orders and Permits;
Temporary Suspension or Amendment of Permit Conditions
Subchapter E

Chapter 37
Financial Assurance
Subchapter O

Chapter 50
Action on Applications and Other Authorizations
Subchapters C and G

Chapter 55
Requests for Reconsideration and Contested Case Hearings; Public Comment
Subchapters A, B, D, and G

Chapter 80
Contested Case Hearings
Subchapters A and C

Chapter 281
Applications Processing
Subchapter A

Chapter 290
Public Drinking Water
Subchapter D

Chapter 291
Utility Regulations
Subchapters A - K

Chapter 293
Water Districts
Subchapters B and E
1. **Purpose.** This change transmittal provides the pages that reflect changes and additions to the Texas Commission on Environmental Quality (commission) Volume of Permanent Rules.

2. **Explanation of Change.** On December 12, 2018, the commission adopted the following:

- **Repeal of §35.202** *without change* to the proposal as published in the July 13, 2018, issue of the *Texas Register* (43 TexReg 4634).

- Amended §§37.5001, 37.5002, and 37.5011 *without changes* to the proposed text as published in the July 13, 2018, issue of the *Texas Register* (43 TexReg 4636) and, therefore, the text of the rules was not republished.

- Amended §§50.31, 50.45, 50.131, and 50.145 *without changes* to the proposed text as published in the July 13, 2018, issue of the *Texas Register* (43 TexReg 4639) and, therefore, the text of the rules was not republished.

- Amended §§55.1, 55.27, 55.101, and 55.250 *without changes* to the proposed text as published in July 13, 2018, issue of the *Texas Register* (43 TexReg 4645) and therefore, the text of the rules was not republished.

- Amended §§80.3, 80.17, 80.105, and 80.109 *without changes* to the proposed text as published in the July 13, 2018, issue of the *Texas Register* (43 TexReg 4651) and, therefore, the text of the rules was not republished.

- Amended §281.2 and §281.17; and the repeal of §281.16 *without changes* to the proposed text as published in the July 13, 2018, issue of the *Texas Register* (43 TexReg 4655) and, therefore, the text of the rules was not republished.

- Amended §290.38 and §290.39 *without changes* to the proposed text as published in the July 13, 2018, issue of the *Texas Register* (43 TexReg 4659) and, therefore, the text of the rules was not republished.


- Amended §291.3 and new §291.130 *with changes* to the proposed text as published and, therefore, the text of the rules was republished; and
Amended §293.11 and §293.44 without changes to the proposed text as published in the July 13, 2018, issue of the *Texas Register* (43 TexReg 4690) and, therefore, the text of the rules was not republished.

Effect of Change. The adopted rulemaking implements House Bill (HB) 1600 and Senate Bill (SB) 567, 83rd Texas Legislature, 2013, Regular Session, and HB 294 and SB 1842, 85th Texas Legislature, 2017, Regular Session, to amend sections to reflect changes to Texas Water Code, Chapters 5 and 11 - 13. This rulemaking would amend and repeal obsolete commission's rules relating to the economic regulation of water and sewer utilities as directed by the legislature; and amend §291.76 to facilitate the ability to convert the Regulatory Assessment Fee to an on-line reporting application.